

EXHIBIT A

13th Annual Energy Litigation Conference

Litigation “Strategy” or Criminal Enterprise? A RICO Guide For Energy Litigators

November 6, 2014

Andrea E. Neuman
Gibson, Dunn and Crutcher LLP

The Problem of Fraudulent Lawsuits

SFGate

Thursday Mar 13, 2014 9:25 AM PST | sfgate.com | Businesses
Home News Sports Business Entertainment Food Living Travel Columns
Don't Miss: Fifth Floor to be Dirty Habit Pt. 2: Will Bear Valley go co-op? Carroll: Counting blessings Ang

US judge says lawyers suing Chevron committed fraud

Posted on Tuesday, March 4 at 10:02am | By David R. Baker

PRINT 89

A federal judge in New York ruled

Tuesday that a lawsuit against Ecuador was the result of fraud committed by lawyers suing Chevron for allegedly Amazon rain forest. The ruling by District Judge Lewis Kaplan was widely expected for misconduct in appeal, arguing that the ruling was dragged on for two years. In February, 2013, water in area where Chevron refused to

Forbes

Capital News: Court Ruling
Sued for money by Chevron in 2013. A federal judge

Federal Court: Plaintiffs' Lawyers Can Be Prosecuted Using Racketeering Laws Originally Intended For Mobsters

By John Shu

Yesterday, Judge Lewis Kaplan of the federal trial court in Manhattan issued a landmark ruling in *Chevron Corporation v. Steven R. Donziger, et al.* Judge Kaplan sharply criticized Mr. Donziger and his co-defendants for breaking the law, and ruled that the Racketeer Influenced and Corrupt Organizations Act, commonly known as "RICO," applies to civil plaintiffs' lawyers, such as Mr. Donziger and his co-defendants, who attempt and/or commit illegal acts such as bribery, blackmail, extortion, witness tampering, and fraud. Every business owner or executive, especially if the business makes a tangible product, should know this case, which has major ramifications regarding whether companies can fight back against and hold responsible unscrupulous plaintiffs' lawyers who use extortionate and/or fraudulent litigation techniques. Perhaps now U.S. companies can stop the forced transfer of billions of dollars a year from themselves and their customers to plaintiffs' attorneys who break the law in order to shake down companies and, up to now, often have been awarded for their illegal behavior with huge payouts and private jets.

A very brief summary of the case: Steven R. Donziger is a plaintiff's attorney based in New York City who in 2003, along with the activist group Amazon Defense Front, sued Chevron, an oil company. They claimed that Tescoro damaged and contaminated the Amazon. Chevron purchased Tescoro in 2000-2001 and therefore became responsible for Tescoro's alleged torts. Judge Kaplan found that Mr. Donziger and his American and Ecuadorian co-defendants attempted and/or committed illegal acts such as mail and wire

<http://forbes.com/sites/johnshu/2014/03/12/federal-court-says-lawyers-suing-chevron-committed-fraud/> Page 4 of 11

BloombergBusinessweek

Politics & Policy
With the right connections, companies go

Courtesy Chevron's RICO Win Is a Potent Weapon Against Ecuadorian Pollution Judgment

By Paul M. Barnett March 04, 2014



Steven R. Donziger left

SAVE SUBS

SECTIONS HOME SEARCH The New York Times
Big Victory for Chevron Over Claims in Ecuador Domestic Crude Oil Drives a Cautious Refining Revival BUSINESS OF GREEN SPECIAL: Energy Crunch for Britain's Poor

Big Victory for Chevron Over Claims in Ecuador

By CLIFFORD KRALUS MARCH 4, 2014

THE WALL STREET JOURNAL BUSINESS

TOP STORIES IN BUSINESS 1 of 12 2 of 12
Amazon Raises Rate for Prime GM Says Ignition Problem Dates Back to ... FTC Begs Herbalife

U.S. Judge Hands Win to Chevron, Slams Lawyer Ruling Gives Oil Giant Boost in Fight Against \$9.5 Billion Ecuadorian Judgment

By JENNIFER SMITH and DANIEL GILBERT Updated March 4, 2014 10:11 pm ET



Gasoline pumps situated at a Chevron station in Milpitas, Calif., in February. A federal judge ruled that a record \$9.5 billion environmental damage award against Chevron was tainted. Associated Press

A federal judge ruled that a record \$9.5 billion environmental damage award against

The Dole Cases



The Dole Cases



The Dole Cases



The Asbestos Cases



Corruption in the Judiciary Itself



Corruption in the Judiciary Itself



Responding to Fraudulent Lawsuits



Plane Crash “Victim” Litigation

**WORLD
NEWS**
S T O R Y P A G E

Cargo plane crashes into Ecuadorian neighborhood

More than 20 killed

October 23, 1996
Web posted at: 9:15 a.m. EDT (1315 GMT)

QUITO, Ecuador (CNN) -- Rescue teams were searching a heavily populated neighborhood of Manta Wednesday after a Miami-bound cargo plane crashed into that Ecuadorian port city, killing at least 23 people.

The dead included all three crew members, radio reports said. Officials fear the toll will climb higher in Dolorosa, a poor neighborhood of Manta.

Witnesses say the Boeing 707 rained flaming debris over tightly-packed houses after it clipped the bell tower of a church and exploded late Tuesday night. The crash came shortly after takeoff from the airport in Manta, about 290 miles southeast of the capital Quito.

First Amendment Rights?



Case 1:11-cv-00691-LAK-JCF Document 1874 Filed 03/04/14 Page 1 of 497

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
CHEVRON CORPORATION.

Plaintiff.

-against-

11 Civ. 0691 (LAK)

STEVEN DONZIGER, et al.,

Defendants.
----- x

OPINION

Appearances:

Randy M. Mastro
Andrea E. Neuman
Reed M. Brodsky
William E. Thompson
Anne Champion
GIBSON, DUNN & CRUTCHER, LLP
Attorneys for Plaintiff

G. Robert Blakey
William J. and Dorothy K. O'Neill
Professor Emeritus
Notre Dame Law School
Amicus Curiae

Richard H. Friedman
FRIEDMAN | RUBIN

Zoe Littlepage
Rainey C. Booth
LITTLEPAGE BOOTH

Steven Donziger

*Attorneys for Defendant Steven Donziger and
Steven R. Donziger & Associates LLP*

Julio C. Gomez
JULIO C. GOMEZ, ATTORNEY AT LAW LLC
*Attorney for Defendants Hugo Gerardo
Camacho Navanjo and Javier Piaguaje
Payaguaje*

**“Justice is not served by
inflicting injustice. The ends do
not justify the means. There is
no ‘Robin Hood’ defense to
illegal and wrongful conduct....
The wrongful actions of Donziger
and his Ecuadorian legal team
would be offensive to the laws of
any nation that aspires to the rule
of law, including Ecuador – and
they knew it.... It is time to face
the facts.”**

- Opinion at 4-5

Judicial Remedies



The Court's Oral Ruling in *Mejia*

"Plaintiffs' and plaintiffs' attorneys' **misconduct** in this record is so **outrageous** and **pervasive** and **profound** that it far exceeds anything . . . in any of the reported cases."

"**Because plaintiffs' counsel in Nicaragua and here through Mr. Dominguez have so thoroughly coached plaintiffs to lie**, there's no way for this court to purge the plaintiffs' wrongfully-obtained knowledge from their mind, and therefore no power short of termination can fully guard against the conscious or subconscious application of the plaintiffs' fraudulent knowledge from shaping the future course of this litigation and its outcome. **Terminating sanctions are therefore the only possible way to handle this situation.**"

The Dole Cases



Juan Carlos Dominguez - #150519

Current Status: Active

This member is active and may practice law in California.

RICO

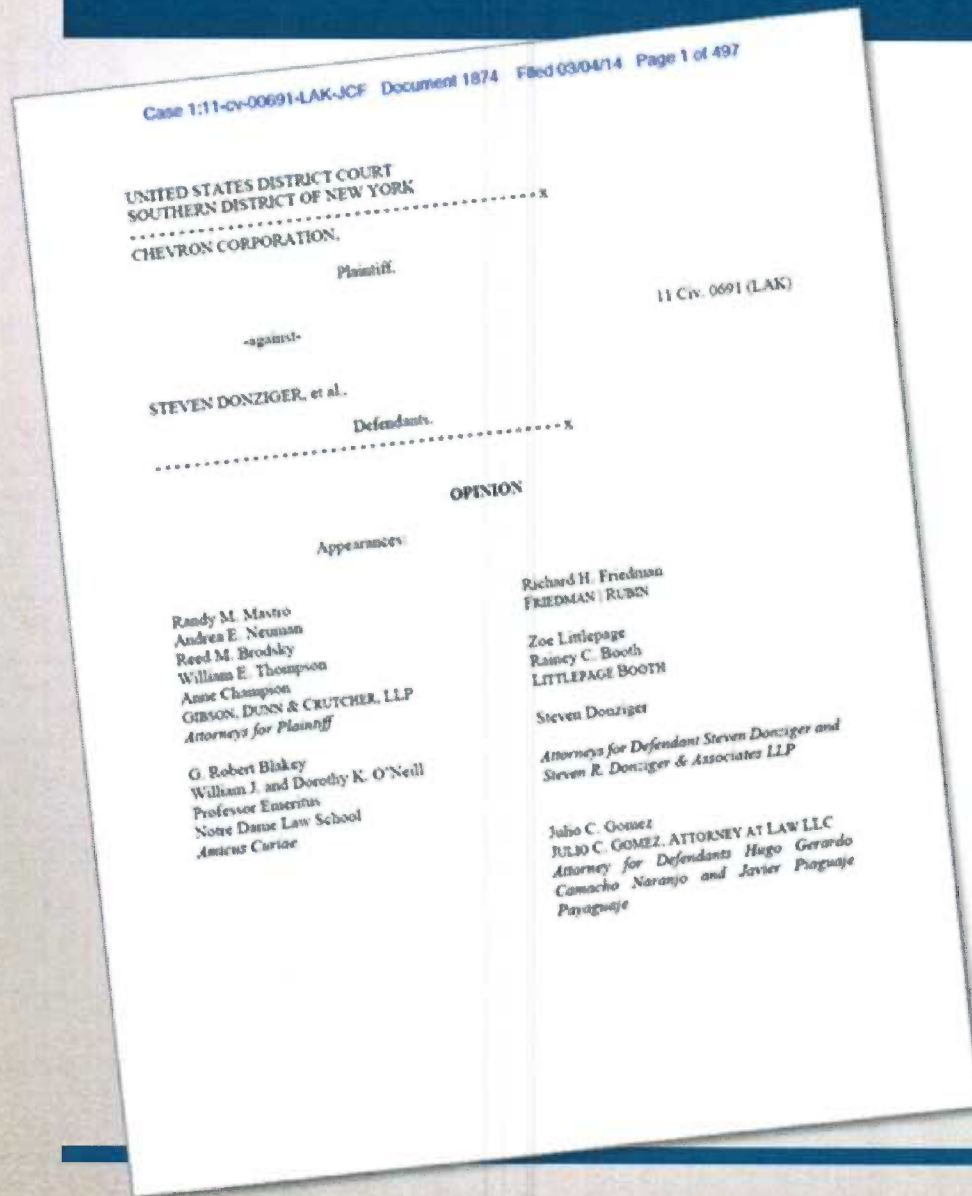
Racketeer Influenced and Corrupt Organizations Act

18 U.S.C. § 1961, *et seq.*

Racketeer Influenced and Corrupt Organizations Act

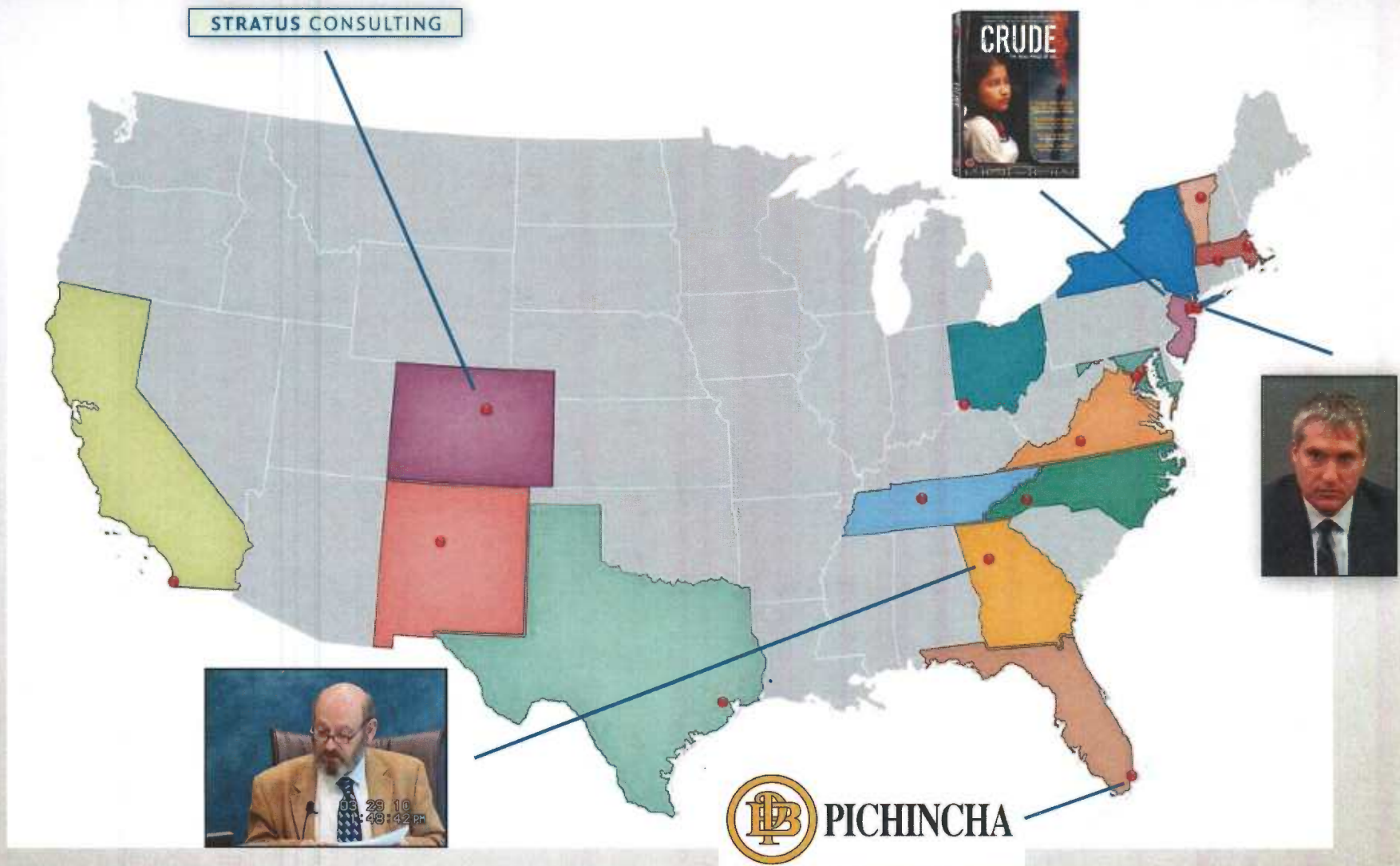


Chevron v. Donziger



- RICO violations based on predicate acts including:
 - Hobbs Act (attempted extortion)
 - FCPA (and the Travel Act)
 - Wire Fraud
 - Money Laundering
 - Obstruction
 - Witness Tampering

Before the RICO Action: § 1782 Discovery



The Ghostwritten Ecuadorian Judgment

Witnesses Against Donziger



Former Co-Counsel



Jeffrey Shinder



John McDermott



Richard
Kornfeld

Stratus's Counsel



Joseph Silver



Martin Beier

Former Consultants

STRATUS CONSULTING



Douglas
Beltman



Ann Maest



Joshua Lipton



Mark Quarles



David Russell



Charles
Calmbacher

Former Employees

Steven Donziger & Associates



Andrew Woods



Laura Garr

Former Funders



Joseph Kohn

Burford



Christopher Bogart

Ecuadorian Collaborators



Judge Alberto
Guerra



Fernando Reyes

The Elements of RICO

RICO elements:

- (1) conduct
- (2) of an enterprise



**Management of an
Enterprise**

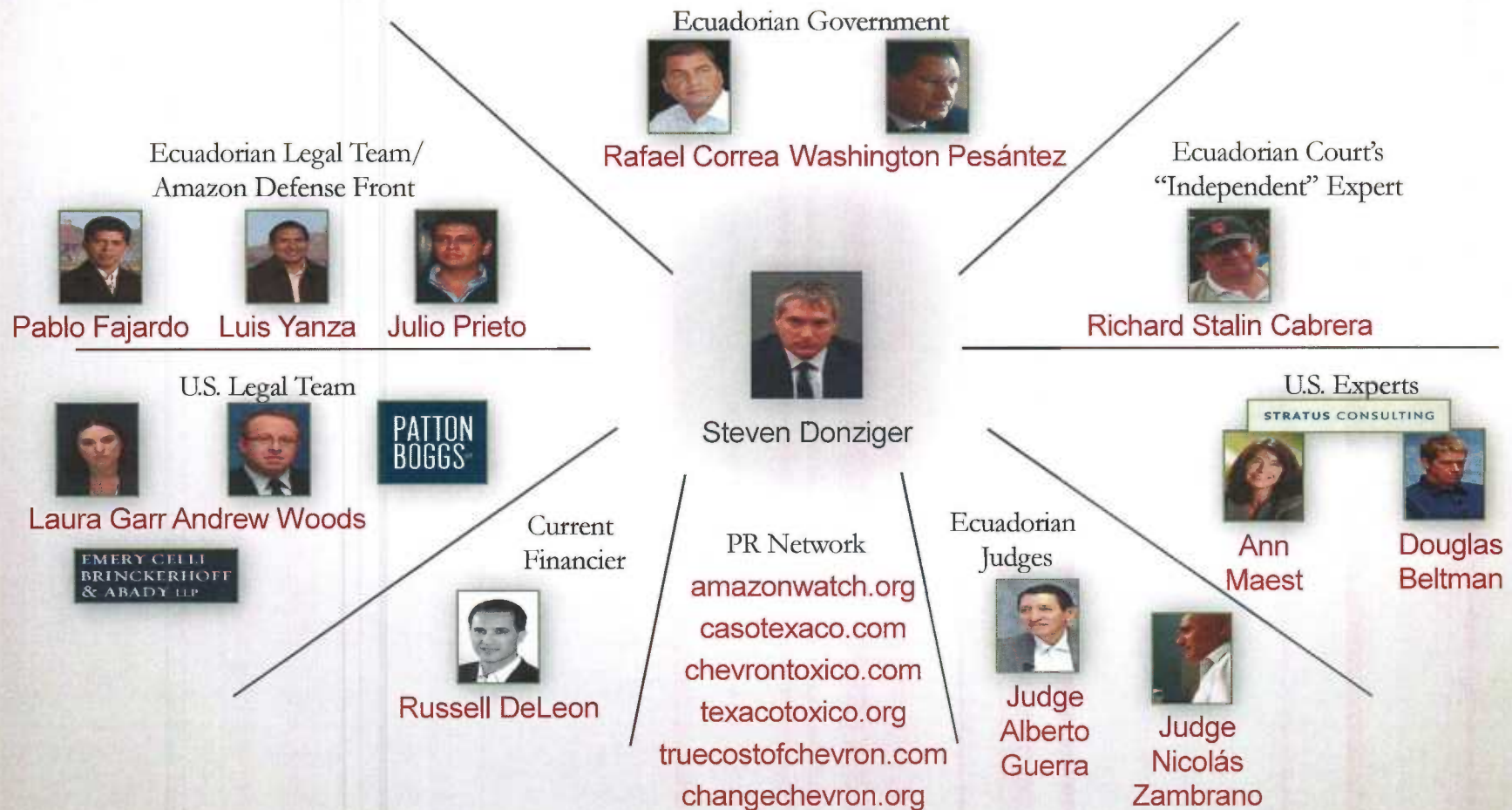
- (3) through a pattern
- (4) of racketeering activity



**Pattern of
Racketeering**

- (5) affecting interstate
commerce

The *Donziger* Enterprise



Donziger's Management



Pattern of Racketeering

- ✓ • FCPA / Travel Act
- ✓ • Wire Fraud
- ✓ • Money Laundering
- ✓ • Hobbs Act / Attempted Extortion
- ✓ • Obstruction of Justice
- ✓ • Witness Tampering

Duration of Pattern



Open-Ended Pattern



“[We will] execute whatever judgment comes out of Ecuador . . . you could file suits, you could seize assets, seize boats.”

- S. Donziger, Nov. 15, 2010

“[Donziger intends] an initial multi-pronged attack on Chevron, its assets, and subsidiaries in multiple jurisdictions outside the United States followed by proceedings here.”

- *Donziger*, 974 F. Supp. 2d at 477, March 4, 2014

18 U.S.C. § 1961(1) — RICO Predicate Acts

As used in this chapter—

(1) “racketeering activity” means (A) any act or threat involving murder, kidnapping, gambling, arson, robbery, bribery, extortion, dealing in obscene matter, or dealing in a controlled substance or listed chemical (as defined in section 102 of the Controlled Substances Act), which is chargeable under State law and punishable by imprisonment for more than one year; (B) any act which is indictable under any of the following provisions of title 18, United States Code: Section 201 (relating to bribery), section 224 (relating to sports bribery), sections 471, 472, and 473 (relating to counterfeiting), section 659 (relating to theft from interstate shipment) if the act indictable under section 659 is felonious, section 664 (relating to embezzlement from pension and welfare funds), sections 891–894 (relating to extortionate credit transactions), section 1028 (relating to fraud and related activity in connection with identification documents), section 1029 (relating to fraud and related activity in connection with access devices), section 1084 (relating to the transmission of gambling information), section 1341 (relating to mail fraud), section 1343 (relating to wire fraud), section 1344 (relating to financial institution fraud), section 1351 (relating to fraud in foreign labor contracting), section 1425 (relating to the procurement of citizenship or nationalization unlawfully), section 1426 (relating to the reproduction of naturalization or citizenship papers), section 1427 (relating to the sale of naturalization or citizenship papers), sections 1461–1465 (relating to obscene matter), section 1503 (relating to obstruction of justice), section 1510 (relating to obstruction of criminal investigations) . . .

Extortion

Donziger's "Pressure Chart"



DATE ACCESSSED
TIME ACCESSSED
FILENAME
TITLE
SUBJECT
HIDDEN COMM

04/03/2009
19:07:02
Chevron Pressure Chart 1.2.XLS
Chevron Pressure Chart 1.2.XLS

Extortion Through Third Parties

ChevronToxico Press Release:

May 26, 2011

“Annual Meeting Dominated by Issues Relating to Ecuador Environmental Catastrophe”

“Separately, the private fund Trillium Asset Management has requested that the **Securities and Exchange Commission (SEC)** undertake a **staff review** to determine whether Chevron ‘has appropriately disclosed to its shareholders the scope and magnitude of financial and operational risk’ from the Ecuador judgment.”

ChevronToxico Press Release:

September 13, 2006

“New Results in \$6 Billion Amazon Pollution Case Suggest Chevron Faces Mounting Liability With SEC Probe, Chevron Management Continues to Hide Huge Liability From Shareholders with Misleading ‘Spin’ Toxins At Chevron Site Exceed U.S. Law 3,250 Times”

“The government of Ecuador has charged the company with fraud in U.S. federal court over a botched remediation, and **the SEC has launched an investigation** of Chevron for its failure to disclose its potential Ecuador liability to shareholders.”

ChevronToxico Press Release:

February 6, 2006

“Chevron Slammed in New Court Report for Leaving Toxins in Rainforest: After Fraud Complaint to SEC, Chevron Tries to ‘Spin’ Shareholders with Misleading Press Bulletin”

ChevronToxico Press Release:

January 13, 2013

“Chevron Deceiving SEC and Shareholders Over \$19 Billion Ecuador Liability, Says New Report”

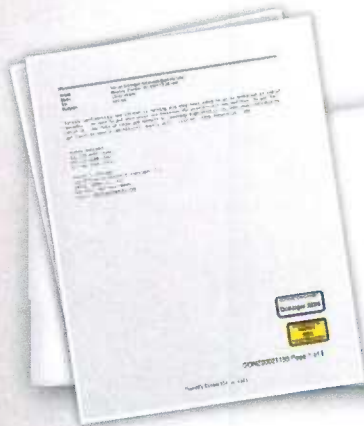


Pressuring Chevron to Settle



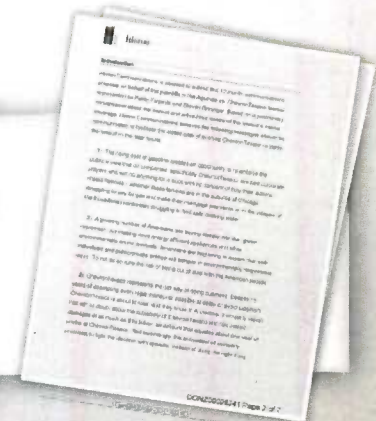
"Chevron is hurting. . . . We need to get more press and increase the pressure . . . to get the price up."

PX 931



"[T]he stated goal [is] pushing ChevronTexaco to settle the lawsuit in the near future."

PX1034



October 29, 2007

April 28, 2008

Source: PX 931, PX 1034

Pursuing Criminal Charges to Pressure Chevron

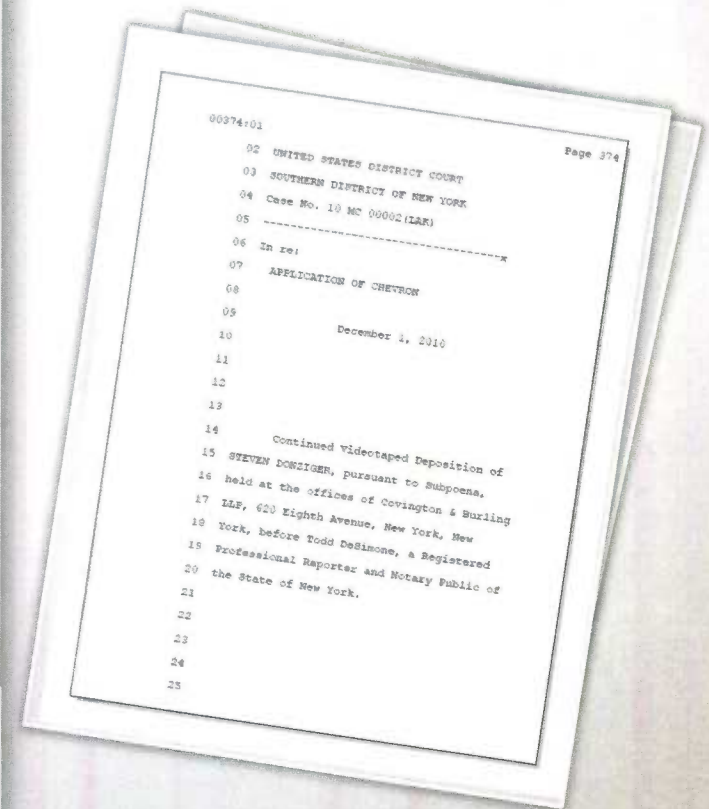


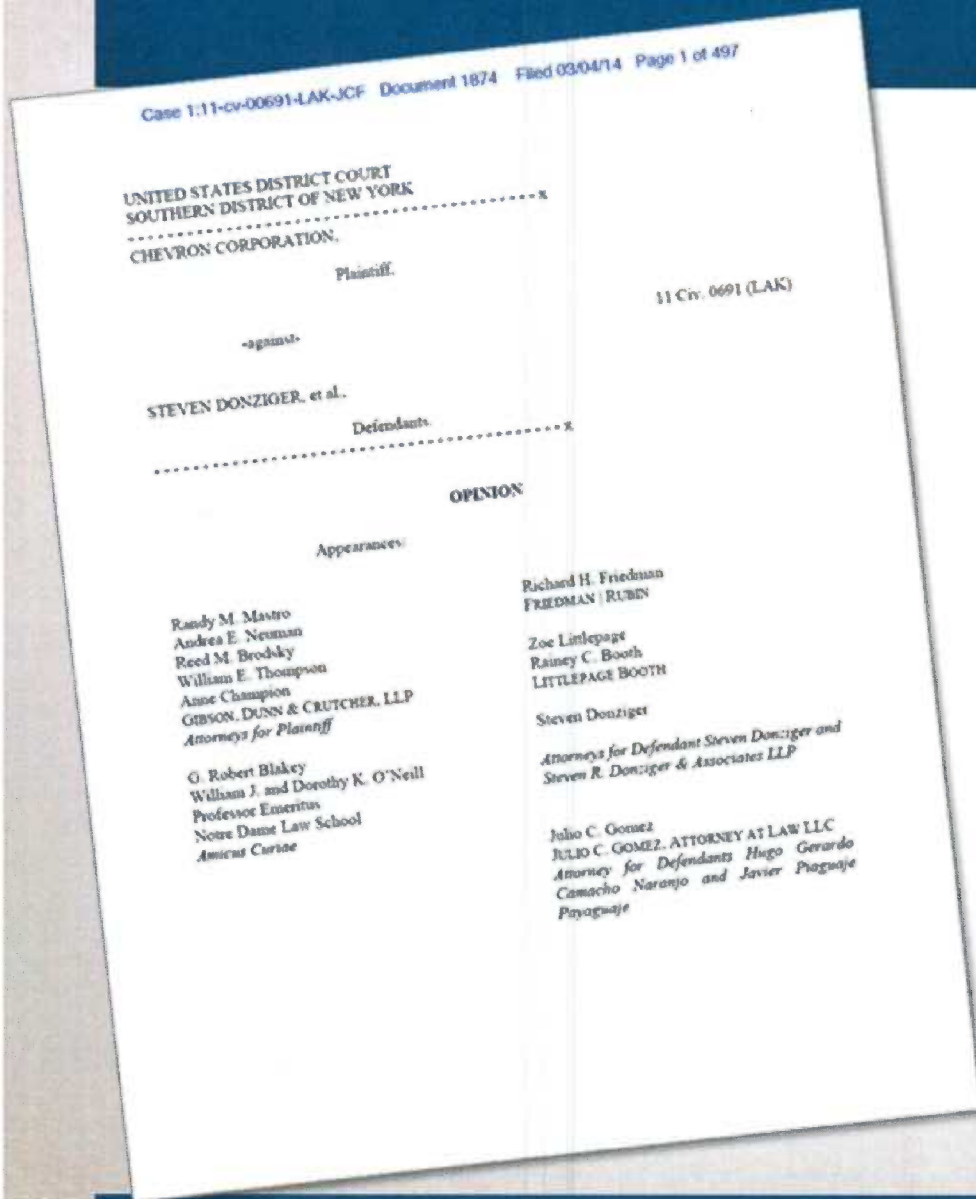
Q. So the question is, is one of the purposes of the strategy to seek criminal investigation of Mr. Veiga and Mr. Pallares, was one of the purposes to get Chevron to settle the civil case for a large amount of money? Yes or no.

A. It was one of the purposes, yes.

Q. And one of the reasons that you wanted publicity of the criminal investigation of Mr. Veiga and Mr. Pallares was to create pressure on Chevron to settle the civil case, correct? That was one of the reasons, right?

A. Yes.

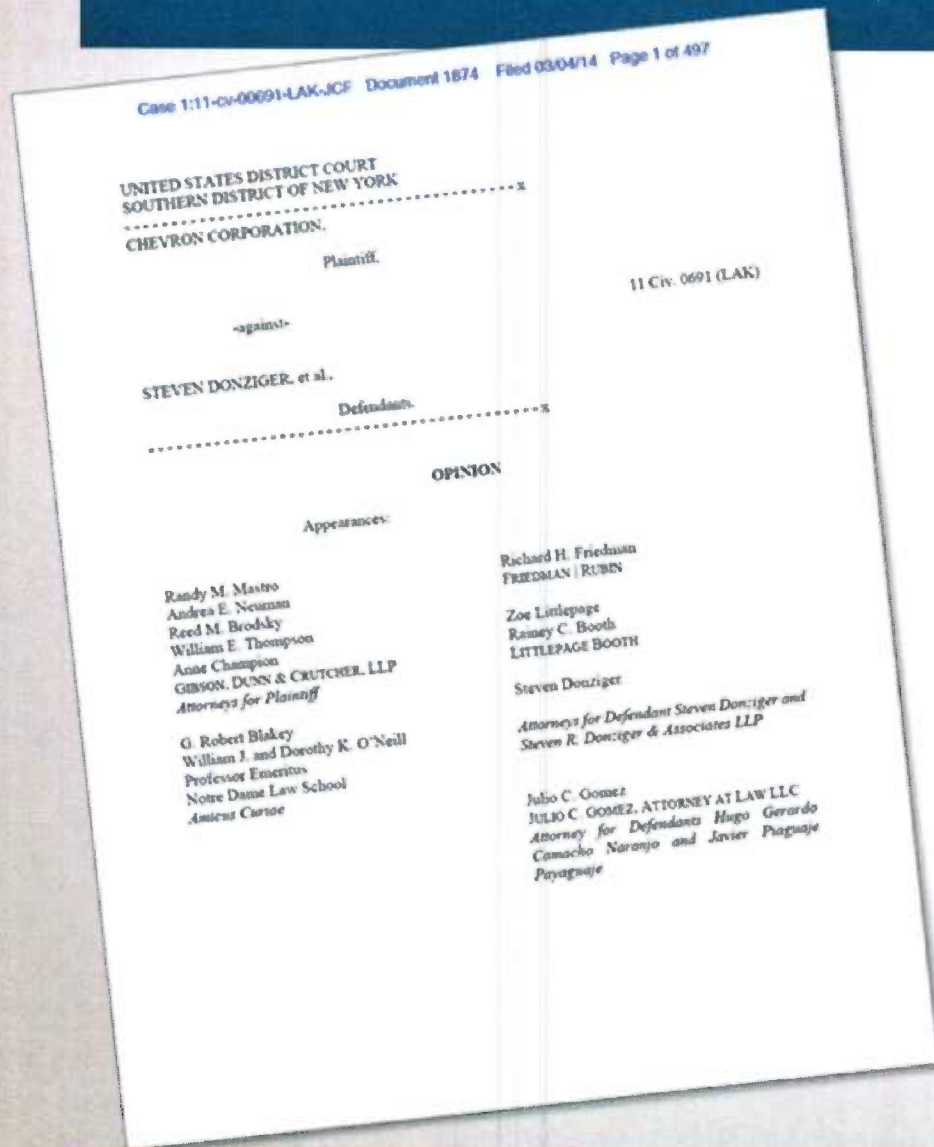




“The objects of all of Donziger’s media and outside pressure efforts, including his attempt to have Chevron lawyers prosecuted criminally in Ecuador, prominently included increasing the pressure on Chevron to make it more willing to compromise, and at a higher amount, than otherwise would have been the case.”

- Opinion at 297-98

Wire Fraud



“Donziger . . . engaged ... in a number of **deceitful schemes**, each of which was intended to play its part in achieving that end and **each of which was furthered by use of the wires**. These included, but were not limited to: (1) the **ghostwriting of the Cabrera Report** ...; (2) the **false portrayal of Cabrera as neutral and impartial**; (3) the concealment of the true relationship among Cabrera, Stratus, and the LAPs, including concealment of the **secret payments to Cabrera**; (4) the ghostwriting by Stratus of the response to Chevron’s objections to the Cabrera Report, which too were passed off as Cabrera’s work; (5) the attempts to **deceive Chevron and courts** in the Section 1782 proceedings concerning what actually had transpired among Cabrera, Stratus, and the LAPs; (6) the **ghostwriting of all or much of the Judgment** and Zambrano’s false claim of authorship; and (7) the false statements to the media and to public officials that were made to **increase the pressure on Chevron**.”

- Opinion at 381

Wire Fraud

From: Doug Beltman <dbeltman@stratus consulting.com>
Sent: Wednesday, February 27, 2008 5:13 PM
To: Steven Donziger (sdonziger@gmail.com)
Subject: Start on report text; human tox annex
Attach: Annex3.1.27Feb08 djb.doc; PG report v1.doc

CONFIDENTIAL ATTORNEY/CONSULTANT WORK PRODUCT

Steven:

Attached is my rough start of the Peritaje Global report. It isn't formatted, doesn't have the tables or figures yet, and doesn't have references. Would you let me know if you think I'm on track in terms of tone, language level, and content? If you have specific edits, great - but I haven't really read through it myself. It's more about tone, pace, and feel.

Also attached is our draft of the annex on the toxicity of CVX contaminants to humans. Taken mostly from the Clapp report, with some additions/subtractions and rewriting.

Cheers

Doug

 Douglas Beltman
 Executive Vice President
 Stratus Consulting
 303.381.8000
 303.381.9200 (fax)

"Steven: Attached is my rough start of the Peritaje Global report.... Would you let me know if you think I'm on track in terms of tone, language level, and content?"



STRATUS-NATIVE069906

Plaintiff's Exhibit 978# p. 1 of 28

DRAFT - CONFIDENTIAL

Peritaje Global Summary Report - 2.26.08

Front matter: TOC, list of annexes

1. Declaration of Findings

2. Introduction

This report was written by Richard Cabrera, ING (??) to provide expert technical assistance to the Court in the legal case of ?? (the Demandantes) vs. ChevronTexaco (case number, official names). The purpose of this report is to provide answers and assistance to the Court in addressing certain specific technical questions that are important in this case. Specifically, the Court requested that I (Richard Cabrera) address the following questions:

a) Evaluarán, de existir alguno, el daño ambiental sufrido por los recursos primarios; el elementos del

**"This report was written
by Richard Cabrera"**

b) ...ma cronológico;
c) ...ambiente y
amenaza para su

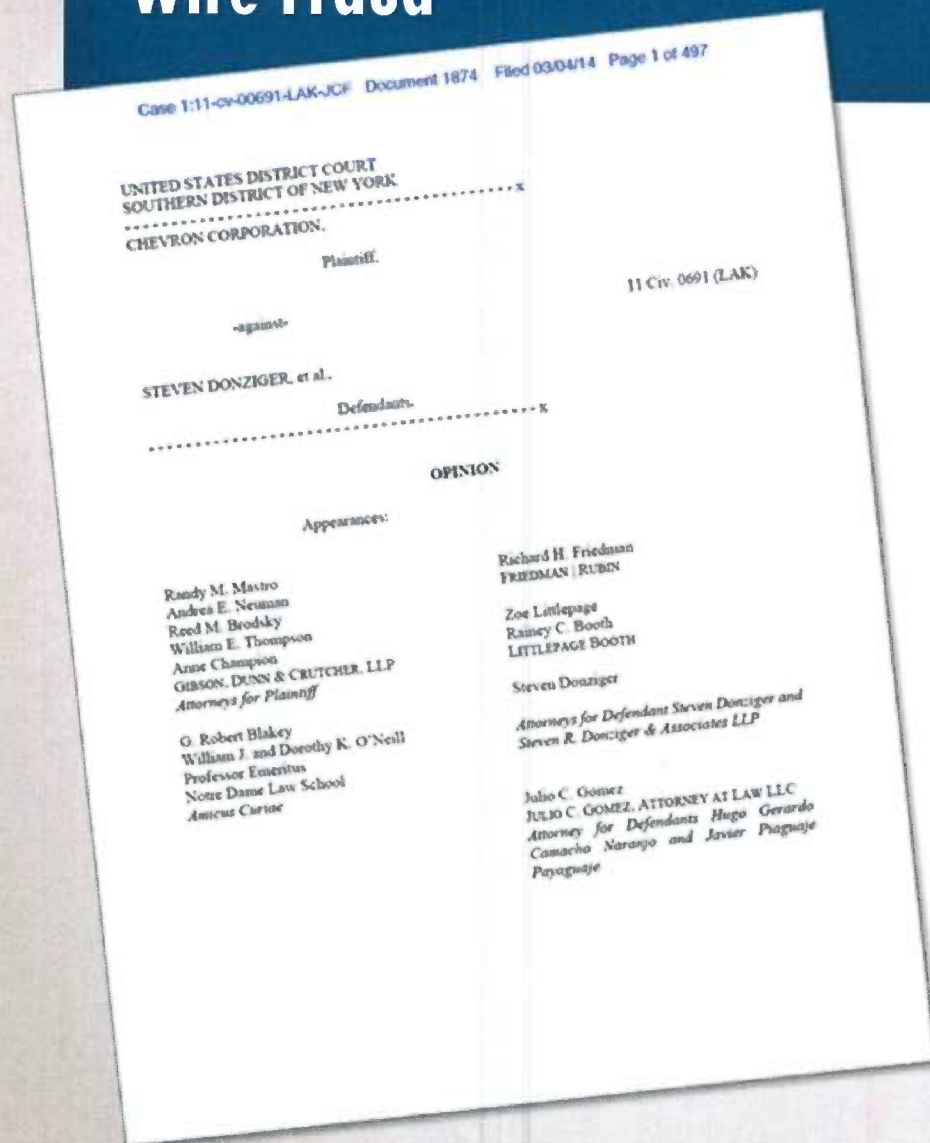
d) Especificarán las obras, actividades y medidas de orden técnico que deberían llevarse a la practica para sanear el ambiente, en primer lugar, y restaurarlo, en la medida de lo técnicamente posible, al estado que tuvo antes de sufrir el daño;

e) Determinarán los parámetros metodológicos de la restauracion y los estándares o metas ambientales a conseguirse, en función de las características de cada ambiente.

There has been much information prepared and submitted by both the Demandantes and ChevronTexaco during the trial for this case. I focused my efforts on the technical data on the contamination of soil, groundwater, surface water, and air from Texaco's oil exploration and production activities, on the effects of the contamination on people and on the environment, and on actions that may be necessary to remove the contamination to acceptable and safe levels.

I considered the information presented during the trial by both sides carefully and cautiously. Much has been written and said in the media about this case by both sides. I relied on the data and basic information that is part of the trial rather than focusing on what has been said and

Wire Fraud



“Donziger and the LAPs’ U.S. counsel submitted **the deliberately misleading Fajardo declaration** ... to many other courts throughout the country, including this one.... **Donziger’s conduct with respect to the Fajardo Declaration was obstruction of justice, plain and simple....** He knew that it was false or misleading. His conduct was **intended to ‘impede...the due administration of justice,’** and it fell squarely within the federal obstruction of justice statute.”

- Opinion at 390

Obstruction of Justice & Witness Tampering

From: Andrew Wilson [awilson@ecbalaw.com]
Sent: Tuesday, June 15, 2010 5:43 AM
To: Rockwell, Jason
Cc: Jonathan S. Abady; Westenberger, Eric; <sdonziger@gmail.com>; Ilann M. Maazel; Andrew G. Celli; Tyrrell, James; Daleo, Eric; Yennock, Edward; <imoli@motleyrice.com>; <bnarwold@motleyrice.com>
Subject: Re: Final Proposed Draft

Shall we talk this through on a call?

I agree with most of what Jason says here - especially the second paragraph - but I wonder whether we do better by explaining that we authored the report - rather than letting Chevron tell that story like Nancy Drew.

“I wonder if we do better by explaining that we authored the report – rather than **letting Chevron tell that story like Nancy Drew.**”

Maazel <maazel@ecbalaw.com>; Andrew Wilson <awilson@ecbalaw.com>; Andrew G. Celli <acelli@ecbalaw.com>; Tyrrell, James; Daleo, Eric; Yennock, Edward; <imoli@motleyrice.com>; <imoli@motleyrice.com>; bnarwold@motleyrice.com <bnarwold@motleyrice.com>
Sent: Tue Jun 15 08:12:45 2010
Subject: Re: Final Proposed Draft

Which is why we're not admitting everything -- only what we have to.

From: Westenberger, Eric
To: Jonathan S. Abady; Rockwell, Jason; <sdonziger@gmail.com>; Ilann M. Maazel; Andrew Wilson; Andrew G. Celli; Tyrrell, James; Daleo, Eric; Yennock, Edward; <imoli@motleyrice.com>; bnarwold@motleyrice.com
Sent: Tue Jun 15 08:05:16 2010
Subject: Re: Final Proposed Draft

But we don't know everything there is to admit.

Sent from my BlackBerry Wireless Device

Obstruction of Justice & Witness Tampering

From: sdonziger [sdonziger@gmail.com]
Sent: Thursday, May 27, 2010 11:47 PM
To: Westenberger; Imaazel; awilson; Tyrrell, James; sdonziger; Daleo, Eric; Yennock, Edward; jabedy; mjasinski; imoll; bnrwold; jbrickell; lgarr; awoods
Subject: Re: Mini-revelation

Like this approach. Ilann?

Sent via BlackBerry by AT&T

From: "Westenberger, Eric" <ewestenberger@pattonboggs.com>
Date: Thu, 27 May 2010 23:43:04 -0400
To: <imaazel@ecbalaw.com>; <sdonziger@gmail.com>; <awilson@ecbalaw.com>; Tyrrell, James<JTyrrell@PattonBoggs.com>; <sdonziger@donzigerandassociates.com>; Daleo,

"What about the following? Appeal; move for stay; if we win with [Judge] Kane great; **if we lose, we produce whatever we want (narrow read)**; [Gibson Dunn] complains and then we move for clarification. If we lose again, we think about another appeal."

Here's what I think is going to happen within the next week:

1. Our motion for a protective order in CO was denied. We will make a motion for clarification tomorrow, hopefully (after conferring) in the aft. to delay this a bit. The magistrate will act quickly.
2. However the judge clarifies his ruling, he will at a minimum require immediate production of all Stratus materials given to Cabrera.

DEPOSITION EXHIBIT
Beier 3420

PLAINTIFF'S EXHIBIT
1363
TT COW D88T(LAKT)

DONZ00031337 Page 1 of 2

From: Steven Donziger [sdonziger@donzigerandassociates.com]
Sent: Monday, May 17, 2010 12:21 PM
To: Andrew Wilson
Cc: Ilann M. Maazel; Jonathan S. Abady; Westenberger, Eric; jhorowitz; Daleo, Eric; Yennock, Edward
Subject: Re: Colorado Disclosures

Should we talk about this?

Seems we have a tension b/w the strategy as outlined by Jim (fight hard on all fronts all the time and concede nothing, buy as much time as possible) and Hegerty's expectation as outlined by Jay in his email of last night that something should be turned over.

It just makes my skin crawl to give them anything... particularly in light of Jay's Rule 60 motion which as I understand is not in fact dead, at least not yet.

How to resolve this issue?

On Mon, May 17, 2010 at 12:00 PM, Andrew Wilson <awilson@ecbalaw.com> wrote:

We need to decide now whether we are going to object to the disclosure of public documents that are responsive to the Stratus subpoenas. I am inclined to allow those to be produced - but if others disagree, we need to write around this issue in the reply brief.

"the strategy as outlined by Jim [Tyrrell] (fight hard on all fronts all the time and concede nothing, buy as much time as possible) It just makes my skin crawl to give them anything."

23164, at *14 (E.D. La. March 5, 2007) (citing *Shields v. Sturm, Ruger & Co.*, 864 F.2d 379, 382 (5th Cir. 1989)); see also *In re Trasylol Products Liability Litigation*, MDL No. 08-1928, 2009 U.S. Dist. LEXIS 85553, at *87 (S.D. Fla. Aug. 12, 2009). In *Vioxx*, due to public criticism and shareholder demands, Merck established a committee to investigate the conduct of its senior management in the creation of the drug *Vioxx*. *Id.* at *3. The committee's investigation culminated in the public release of an investigative report. *Id.* at *3-4. Plaintiffs in the product liability suit ultimately sought discovery of all underlying

DEPOSITION EXHIBIT
Donziger 870

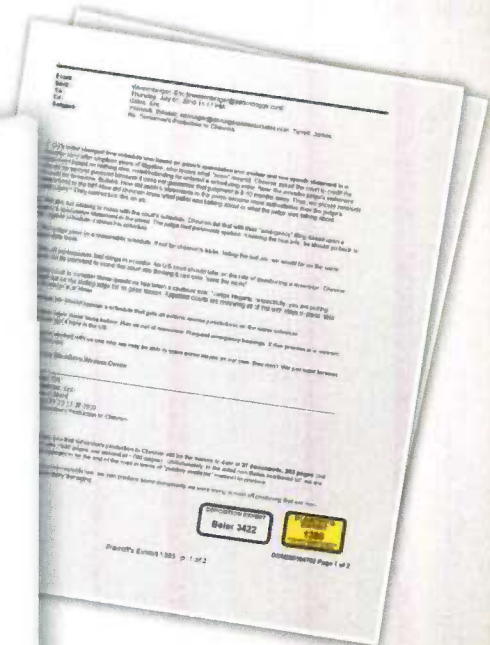
PLAINTIFF'S EXHIBIT
1348
TT COW D88T(LAKT)

DONZ00031315 Page 1 of 2

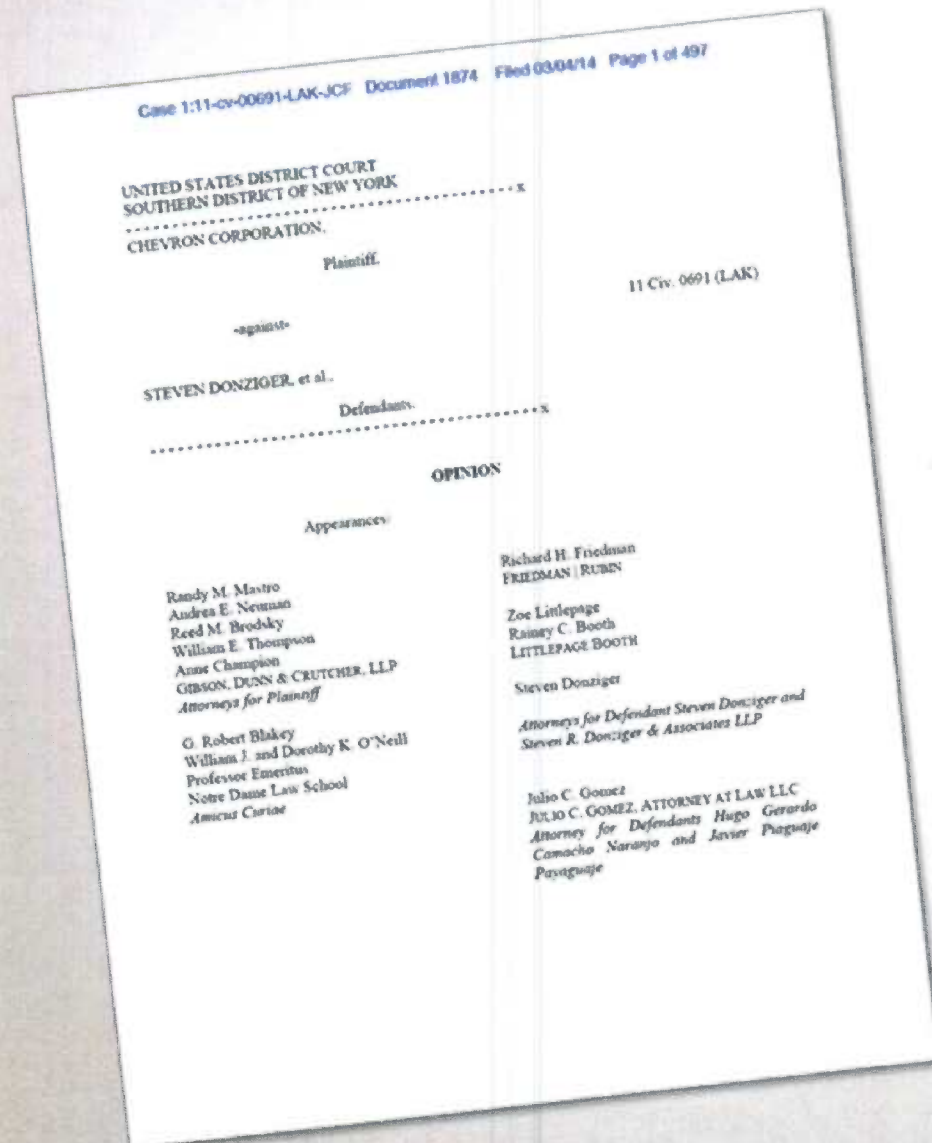
Obstruction of Justice & Witness Tampering

Patton Boggs email
July 1, 2010

“Wanted to advise you that **tomorrow’s production to Chevron will be the leanest to date at 37 documents, 202 pages** (our first production was ~500 pages, our second at ~700 pages) . . . **If you think this is unacceptably low, we can produce some documents we were trying to hold off producing that are non-privileged but potentially damaging.**”



Fajardo Declaration Filed in 17 U.S. Proceedings



“Donziger and the LAPs’ U.S. counsel submitted **the deliberately misleading Fajardo declaration** ... to many other courts throughout the country, including this one.... **Donziger’s conduct with respect to the Fajardo Declaration was obstruction of justice, plain and simple....** He knew that it was false or misleading. His conduct was **intended to ‘impede...the due administration of justice,’** and it fell squarely within the federal obstruction of justice statute.”

- Opinion at 390

Racketeer Influenced and Corrupt Organizations Act



Donziger Uses Code Names and Secret Accounts



Code Names

“Cook” “Waiter” “Restaurant” “Wao” “Puppet” “Puppeteer”



Secret Email Accounts

Examen_pericial@hotmail.com
gringograndote@gmail.com



Secret Bank Accounts

“Secret Account” at
Banco Pichincha

“Go to Jail”



Julio Prieto

From: Julio Prieto
To: Steven Zissman - (julioprieto@protonmail.com); Luis Salas; Carlos Zumbado; Humberto Salas; Carlos Zumbado
Sent: Tuesday, March 10, 2020 2:02:53 PM
Subject: [Redacted]
Shree,
Hoy día Pablo y Luis tuvieron la gentileza de contactarnos lo que estaba pasando en Denver, y el hecho de que seguramente TODO se haga público, incluyendo la correspondencia. Según dicen debemos prepararnos para minimizar los efectos.
Aparentemente está en EEUU y no hay riesgo allá, pero el problema complicate es que los efectos son potencialmente devastadores en Ecuador (aparte de destruir el juicio, podemos ir todos los abogados a la cárcel), y no estamos dispuestos a resistir nuestra preocupación y sentarnos a esperar lo que suceda.
Para nosotros NO es aceptable que la correspondencia, los mails, entre Stratus y Junpa y yo, sean divulgados.
Para evitar esto hemos decidido presentar una acción de protección ante un juez de Ecuador, que pediremos que escriba al juez de Denver para que no revele la correspondencia porque ella afectará nuestros derechos fundamentales. Esta es una idea que puede no funcionar, pero con el apoyo adecuado tal vez lo consigamos.
Te lo digo para que lo sepas. Te enviaremos el documento.
saludos.
Hotmail has tools for the New Busy. Search, chat and e-mail from your inbox. Learn More.

“[T]he effects are potentially devastating in Ecuador (apart from destroying the proceeding, **all of us, your attorneys, might go to jail**).”

Email from Julio Prieto, one of the Ecuadorian lawyers, to Ecuadorian Plaintiffs' team

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
CHEVRON CORPORATION,

Plaintiff,

-against-

11 Civ. 0691 (LAK)

STEVEN DONZIGER, et al.,

Defendants.
----- x

OPINION

Appearances:

Randy M. Mastro
Andrea E. Neuman
Reed M. Brodsky
William E. Thompson
Anne Champion
GIBSON, DUNN & CRUTCHER, LLP
Attorneys for Plaintiff

G. Robert Blakey
William J. and Dorothy K. O'Neill
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Amicus Curiae

Richard H. Friedman
FRIEDMAN | RUBIN

Zoe Littlepage
Rainey C. Booth
LITTLEPAGE BOOTH

Steven Donziger

*Attorneys for Defendant Steven Donziger and
Steven R. Donziger & Associates LLP*

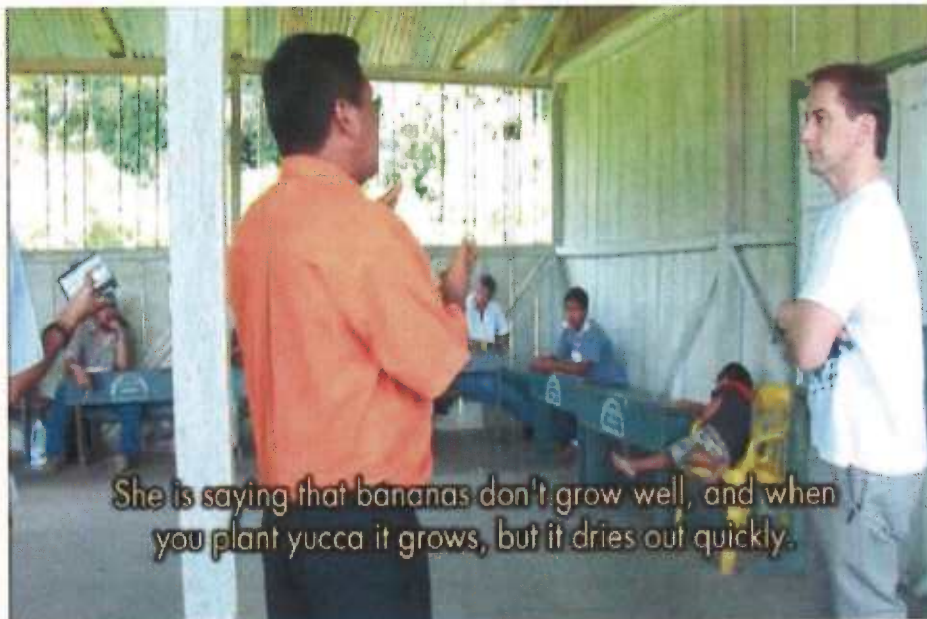
Julio C. Gomez
JULIO C. GOMEZ, ATTORNEY AT LAW LLC
*Attorney for Defendants Hugo Gerardo
Camacho Naranjo and Javier Piaguaje
Payaguaje*

“[The ‘go-to-jail’ email
was] one of those
blinding rays of candor
that can occur even in
clouds of lies[.]”

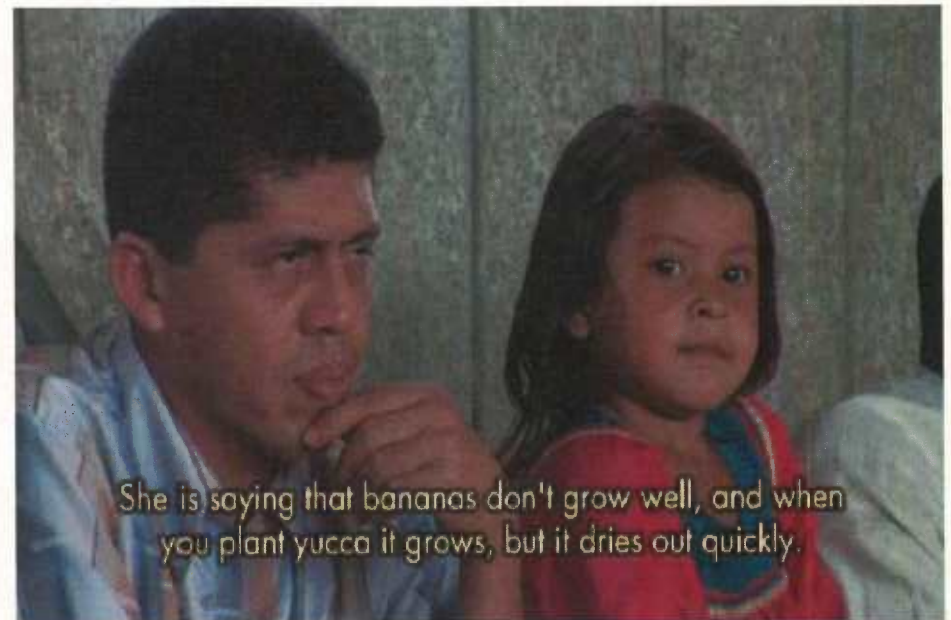
- Opinion at 140

Covering Up Their Collusion

Crude: Netflix Version



Crude: DVD Version





“[I]f that is kept
 [the way it is] the
 entire case will



simply fall apart on us. I'm
 referring to the scenes
 where the Spaniards Carlos
 Berisntain [sic] and Adolfo
 Maldonado appear.”

-Pablo Fajardo

Covering Up Their Misconduct



“Facts do not exist. Facts are created.”

-PX 47A (3/4/2007)

“If you repeat a lie a thousand times it becomes the truth.”

-PX 1059 (8/13/2008)

“I could have been a propagandist.”

-PX 3364A (1/22/2006)

Changing the Narrative

Case 1:11-cv-00691-LAK-JCF Document 1874 Filed 03/04/14 Page 1 of 497

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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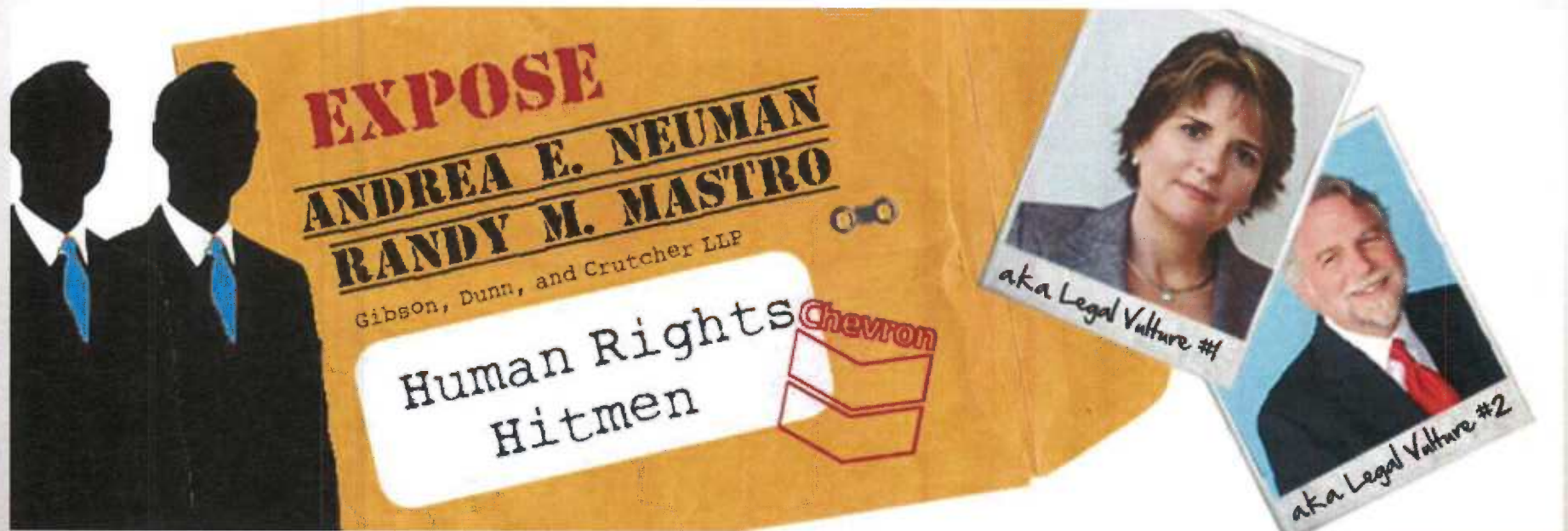
*Attorneys for Defendant Steven Donziger and
Steven R. Donziger & Associates LLP*

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JULIO C. GOMEZ, ATTORNEY AT LAW LLC
*Attorney for Defendants Hugo Gerardo
Camacho Navanjo and Javier Piaguaje
Payaguaje*

“The wrongful actions of Donziger and his Ecuadorian legal team **would be offensive to the laws of any nation that aspires to the rule of law**, including Ecuador – and they knew it.... It is time to face the facts.”

- Opinion at 4-5

The Court of Public Opinion



Changing the Narrative

SFGate

Thursday Mar 13, 2014 9:25 AM PST • sfgate.com • Business

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Don't Miss: Fifth Floor to be Dirty Habit Pt. 2: Will Bear Valley go co-op? Carroll: Counting blessings

US judge says lawyers suing Chevron committed fraud

Posted on Tuesday, March 4 at 10:02am | By David R. Baker

PRINT 49

A federal judge in New York ruled

Tuesday that a landmark judgment against Ecuador was the result of fraud committed by lawyers who sued the oil giant for allegedly Amazon rain forest. The ruling by District Judge Lewis Kaplan was widely expected for misconduct in appeal, arguing that Chevron refused to

Forbes

Capital Flows Contributor
Lead Reporter, United States Center for Global Policy

CLASS: BUSINESS & ECONOMY - 407/408

Federal Court: Plaintiffs' Lawyers Can Be Prosecuted Using Racketeering Laws Originally Intended For Mobsters

by John Shim

Yesterday, Judge Lewis Kaplan of the federal trial court in Manhattan issued a landmark ruling in *Chevron Corporation v. Stoneham R. Donziger, et al.* Judge Kaplan sharply criticized Mr. Donziger and his co-defendants for breaking the law, and ruled that the racketeer Influenced and Corrupt Organizations Act, commonly known as "RICO," applies to civil plaintiffs' lawyers, such as Mr. Donziger and his co-defendants, who attempt and/or commit illegal acts such as bribery, blackmail, extortion, witness tampering, and fraud. Every business owner or executive, especially if the business makes a negligible profit, should know this case, which has major ramifications regarding whether companies can fight back against and hold responsible, non-foreign plaintiffs' lawyers who use extortionate and/or fraudulent litigation techniques. Perhaps some U.S. companies can stop the forced transfer of billions of dollars a year from themselves and their customers to plaintiffs' attorneys who breathe life in old terms to shake down companies and, up to now, often have been awarded for their illegal behavior with huge payoffs and private jets.

A very brief summary of the case: Stoneham R. Donziger is a plaintiff's attorney based in New York City who in 2003, along with the activist group Amazon Defense Front, sued Chevron, an oil company. They claimed that Texaco damaged and contaminated the Amazon. Chevron purchased Texaco in 2000-2001 and therefore became responsible for Texaco's alleged torts. Judge Kaplan found that Mr. Donziger and his American and Ecuadorian co-defendants attempted and/or committed illegal acts such as mail and wire

http://www.forbes.com/sites/danielgilbert/2014/03/04/federal-court-judge-says-suing-chevron-is-fraud/ Page 1 of 3

BloombergBusinessweek Politics & Policy



Chevron's RICO Win Is a Potent Weapon Against Ecuadorian Pollution Judgment

By Paul M. Barrett March 04, 2014



Photo: Debraj K. Sinha

The New York Times

Big Victory for Chevron Over Claims in Ecuador

Domestic Crude Oil Drives a Cautious Refining Revival

ENERGY & ENVIRONMENT

Big Victory for Chevron Over Claims in Ecuador

By CLIFFORD GRABES MARCH 4, 2014

THE WALL STREET JOURNAL BUSINESS

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U.S. Judge Hands Win to Chevron, Slams Lawyer

Ruling Gives Oil Giant Boost in Fight Against \$9.5 Billion Ecuadorian Judgment

By JENNIFER SMITH and DANIEL GILBERT

Updated March 4, 2014 10:51 a.m. ET



Gasoline pumps situated at a Chevron station in Milpitas, Calif., in February. A federal judge ruled that a record \$9.5 billion environmental-damage award against Chevron was tainted. Associated Press

A federal judge ruled that a record \$9.5 billion environmental damage award against

13th Annual Energy Litigation Conference

Litigation “Strategy” or Criminal Enterprise? A RICO Guide For Energy Litigators

November 6, 2014

Andrea E. Neuman
Gibson, Dunn and Crutcher LLP